

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

<p>SAVINGS BANKS EMPLOYEES RETIREMENT ASSOCIATION,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>EAST BOSTON SAVINGS BANK; BERKSHIRE BANK; CAPE COD FIVE CENTS SAVINGS BANK; SOUTH SHORE SAVINGS BANK; and WORONOCO SAVINGS BANK,</p> <p style="text-align: center;">Defendants.</p>	<p style="text-align: center;">CIVIL ACTION NO. 04-11545-EFH</p>
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**SAVINGS BANKS EMPLOYEES RETIREMENT ASSOCIATION’S
LIST OF PROPOSED EXHIBITS**

Plaintiff Savings Banks Employees Retirement Association (“SBERA”) hereby submits the following proposed trial exhibits:

1. By-Laws of the Savings Banks Employees Retirement Association.
2. September 24, 1998 Minutes of the Meeting of the Trustees of the Savings Banks Employees Retirements Association. (Deposition of Arthur Warren, Exhibit 12).
3. November 17, 1998 Minutes of the Meeting of the Trustees of the Savings Banks Employees Retirement Association. (Deposition of Robert Verdonck, Exhibit 1).
4. Hand Out SBERA Board Meeting May 6, 2003, Termination Fees - A Recap. (Deposition of Arthur Warren, Exhibit 8).

Plaintiff understands that Defendants intend to introduce evidence to support their theory that SBERA’s right to assess its members termination fees was somehow compromised by SBERA’s relationship with Northeast Retirement Services. Plaintiff believes that this issue is irrelevant. However, insofar as the Court permits Defendants to introduce documents in support of this argument, Plaintiff reserves the right to introduce the following document:

5. Benchmarking Review of Administrative Services and Fees, SBERA Board Meeting, March 27, 2001, Prepared by William M. Mercer, Incorporated.

Respectfully submitted,

SAVINGS BANK EMPLOYEES
RETIREMENT ASSOCIATION,

by its attorneys,

s/Alicia Alonso Matos

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Dated: March 20, 2006